

**REMARKS**

Favorable reconsideration of this application, in light of the preceding amendments and following remarks is respectfully requested. Claims 13-15, 18, 24-27, 29-30, 36-37, 43-44 and 50-51 are pending in this application. By this Amendment, claims 13-15, 18, 24-27, 29-30, 36-37, 43-44 and 50-51 are amended. By this Amendment, no claims are added or cancelled. Claims 13 and 24-27 are the independent claims.

**Rejections under 35 U.S.C. §103**

The Examiner has rejected claims 13-15, 18, 24-27, 29, 30, 36, 37, 43, 44, 50 and 51 under 35 U.S.C. §103(a) as being unpatentable over Kato et al. (U.S. Patent Appl. No. 2002/0145702, hereinafter "Kato") in view of Ando et al. (U.S. Patent No. 7,054,545, hereinafter "Ando"). Applicants respectfully traverse this rejection for the reasons detailed below.

The Examiner acknowledges that Kato does not disclose or suggest the at least one playitem including **first duration information** indicating whether to display the at least still picture in the at least one still picture unit for one of a finite and an infinite period of time and **second duration information** indicating a length of time to display the at least still picture when the first duration information indicates to display the at least still picture for a finite period of time, as recited in claim 13. Rather, the Examiner relies upon Ando as disclosing the first and second duration informations. Applicants still disagree.

In Applicants' previous response filed February 20, 2009, Applicants argued that Ando discloses a data structure which merely provides information regarding **display time only**, not information on whether the time duration is **finite or infinite**. For instance, Ando discloses a display time per still picture that is

calculated by dividing a playback time of an audio track by the number of still pictures. See pages 10-11 of Applicants' February 20, 2009 Amendment.

In the current Office Action, the Examiner replies "Ando et al. discloses in col. 39, lines 38-64 that a maximum and minimum duration is given for displaying the still picture. If either the maximum or minimum duration is infinite then that field will be filled in with an "Ooh". The maximum and minimum duration times correspond to the first and second duration information." See Office Action page 3.

Applicants still do not agree. For instance, claim 13 requires that the at least one playitem includes second duration information indicating **a length of time to display** the at least still picture when the first duration information indicates to display the at least still picture for a finite period of time. In column 39, lines 51-59 of Ando, it is disclosed that "when the maximum duration time and minimum duration time are different, the duration time updating ASV is randomly changed (by a player) between the maximum and the minimum duration time". Therefore, Ando only discloses information of **display time range** reproducing randomly between the maximum and the minimum duration time or a user selecting between the maximum and the minimum duration times. These features of Ando are **not** second duration information indicating a length of time to display the at least still picture when the first duration information indicates to display the at least still picture for a finite period of time, as required by claim 13.

Furthermore, the Examiner states that "the claims do not require the still images to be independent of the audio, but only information regarding the first and second duration times." See Office Action, page 3. In an effort to further distinguish Ando, Applicants have amended claim 13 to recite "wherein the at least still picture and associated related data in the at least one still picture unit are reproduced synchronously, and the audio data is reproduced asynchronously and

independently from the at least one still picture unit.” Ando does not disclose or suggest these features.

For instance, in column 14, lines 29-32 of Ando, Ando states “*designation information of display timing of the still picture of interest (to adjust the display timing between two objects by designating display time information of the corresponding audio object).*” In Fig. 28A, 28B and Fig. 40, Ando provides a link structure linking the ASVOB (=still picture) to the reproduced audio track when the audio track is reproduced. In addition, Ando maps presentation time information of still picture to presentation time information of audio objects. Therefore, in Ando, the presentation of the still picture **depends** on the presentation of the audio data. As a result, Ando does not disclose or suggest “the still picture unit is reproduced with the audio data independently and asynchronously” as required by claim 13.

In addition, Kato fails to overcome the deficiencies of Ando. For instance, in Figures 39, 40 and paragraph [0286]-[0287] of Kato, Kato discloses that the presentation of the main path and the presentation of the sub-path are synchronous. Therefore, presentation structure of the sub-path is reproduced according to presentation structure of the main path, synchronously and dependently. As a result, Kato does not disclose or suggest “the still picture unit is reproduced with the audio data independently and asynchronously” as recited in claim 13.

Independent claims 24-27 have been amended to include features similar to the above-identified features of claim 13, and therefore are patentable for at least the same reasons stated above. In addition, claims 14-15, 18 and 29-30, 36-37, 43-44 and 50-51, dependent on claims 13 and 24-27, are patentable for at least the same reasons stated above. As such, Applicants respectfully request this rejection be withdrawn.

**CONCLUSION**

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

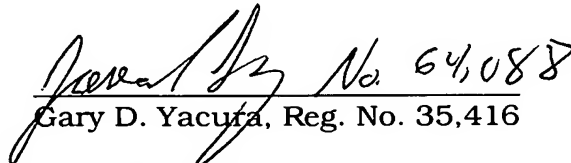
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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